

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Michael Sean Speight

V.

Civil No. 1:24-cv-00055
Chief Judge Landya B. McCafferty

Amanda Kaelblein
Michael Kaelblein
Nancy Kaelblein
George Phelan(Professional, individual capacity)
Eric Stephanie(Professional, individual capacity)

**MOTION REQUESTING COURT TO ALLOW PLAINTIFF TO AMEND
COMPLAINT TO PROPER RELIEF IN INTEREST OF JUSTICE**

The plaintiff requests this Honorable Court allow him to Amend Complaint under Rule 15. Amended and Supplemental Pleadings (a) (2)

Other Amendments. In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.

1. The Amended Complaint will be as follows:

- a. Amanda Kaelblein, Michael Kaelblein, and Nancy Kaelblein will be amended to Intentional infliction of emotional distress.a Tort
- b. Amended complaint for relief requested for Amanda Kaelblein will be changed to \$100,000., and a recommendation to the state of Massachusetts Woburn Probate Court if thIs Court sees fit to do so.
- c. Michawl Kaelblein, and Nancy Kaelblein Amended Complaint will be Amended to \$75,000. Each, and apology letters written to plaintiff, and V.S.

The plaintiff requested this Amendment in the interest of justice,

The plaintiff still will prove Amanda Kaelblein worked IN CONCERT with DOR Eric Stephaine, who violated the plaintiffs Constitutional Rights under the color of the law.

Michael Kaelblein, and Nancy Kaelblein worked IN CONCERT with Amanda Kaelblein

All three defendants are just as guilty as the state actor Eric

Stephaine under 42 U.S.C. 1983

The Court should grant this motion to amend this complaint, for reasons stated above and stated in memorandum of law in support.

Date 6/21/24

Respectfully Submitted,

Michael Sean Speight
Michael Sean Speight
100 Main St #108
Pembroke, NH 03275

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**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO AMEND
COMPLAINT**

Under Rule 15. Amended and Supplemental Pleadings (a) (2)

Other Amendments. In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.

In this complaint justice requires, for even though the Court hears domestic relations cases when there are Constitutional Violations and the parties are acting IN CONCERT with a state

actor (Eric Stephaine), which makes them just as liable as the state actor under the color of the law (See filing #19 Exhibit 3) Massachusetts Transcripts dated November 3, 2022.

On page 18 lines 23-25

THE COURT; All right. So Amanda , did Michael file a case involving custody and child support regarding this—

MS. KAELEBLEIN; He did. (meaning in New Hampshire)

Amanda Kaelblein admits here there is an ongoing custody and child support proceeding in New Hampshire since June of 2022.

Page 19 lines 17-18

MS. KAELEBLEIN; I am aware of a hearing that involves— involves child custody, not child support.

Here Amanda Kaelblein changes her story, misleading Judge George Phalen .

Page 22 continued to page 23 lines 25 1-9

MR. STEPHANIE; Let me check judge. Ive –I've spoken to (cont page 23) the defendant's attorney who represented him in his case in New Hampshire. He filed a complaint for parenting time in

New Hampshire, and I went over this with his attorney. I had several conversations with him. Child support was not pled in New Hampshire. That's why we are going forward with this in Massachusetts. But I have spoken to his attorney about this at length, and he did not plead that the Court enter an order for child support against him in New Hampshire. That's why we filed in Massachusetts.

The plaintiff was already paying Amanda Kaelblein \$200 since she fled New Hampshire with minor child V.S. on May 28, 2022 (PKPA). The minor child V.S. wasn't residing in Massachusetts 6 months at the date of this hearing, only 5 months it wasn't the child's home state UCCJEA.

Former Attorney Michael Ryan is willing to testify that wasn't his conversation with Eric Stephanie.

Judge George Phelan request Eric Stephanie get a copy of the parenting petition filed in Derry Family Court, New Hampshire to see if the child support box was checked off (See filing 19 Exhibit 4 parenting petition child support checked off) which plaintiff sent

to Eric Stephanie and he withheld it from Phelan.

Then Judge George Phelan told Stephanie to place a 4D in where the plaintiff continues to pay mother on his own, with no DOR involvement Stephanie placed a full child support order in getting plaintiffs parenting petition dismissed in New Hampshire Violating the plaintiffs Due Process 5th and 14th, Equal protection 14th, Right to Legal Counsel, right to fair trial 6th Amendments Both Amanda Kaelblein and Eric Stephaine worked IN CONCERT to accomplish the same goal.

Eric Stephanie even states in the transcripts he and Amanda talked numerous times before the hearing.

The Court Also found in Forman v. Davis, 371 U.S.178 (1962)

"The Supreme Court emphasized that leave to amend should be"freely given when justice so requires"

Moore v. City of Paducah, 790 F.2d 557 (6th Cir.1986) The Court emphasized the necessity of allowing amendments unless there is a clear reason to deny them.

There is no prejudice to the opposing party, for the plaintiff is requesting less relief.

RELIEF REQUESTED

The plaintiffs motion to amend his complaint should be granted, and the amendments should reflect what plaintiff requested in motion

Date

6/22/24

Respectfully Submitted,



Michael Sean Speight
100 Main St #106
Pembroke, NH 03275

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DISTRICT OF NEW HAMPSHIRE**

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V.

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AFFIDAVIT IN SUPPORT OF MOTION TO AMEND THE COMPLAINT

I swear under the pains of the penalty of perjury, that everything is true and correct to the best of my knowledge.

A copy of this motion was sent to Amanda Kaelblein's New Hampshire Attorney Kristen Weber through email, The other defendants will receive through E-File.

Date 6/21/24



Michael Sean Speight

100 Main Street #106
Pembroke ,NH 03275
Speight6317@gmail.com

State of N.H.

County of MERRIMACK

I Certify the following person personally appeared before me this day,
acknowledgement that this person signed this document.

Michael S. Speight

Expires date _____

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Subscribed and sworn to before me this

31 day of JUNE 2024
Linda A. Williams

